

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

City of Beaufort, et al,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
NATIONAL MARINE FISHERIES	)	
SERVICE, CHRIS OLIVER, in his official	)	
capacity as the Assistant Administrator for	)	
Fisheries, and WILBER ROSS, in his official	)	
capacity as the Secretary of	)	
Commerce,	)	
	)	
Defendants.	)	
	)	
	)	
South Carolina Coastal Conservation League,	)	
et al,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
Wilbur Ross, in his official capacity as the	)	
Secretary of Commerce; et al.,	)	
	)	
Defendants.	)	

**No.: 2:18-cv-03326-RMG  
(Consolidated with 2:18-cv-3327-RMG)**

**RULE 26(F) DISCOVERY PLAN OF  
THE STATE EX REL WILSON**

In accordance with Rule 26(f)(3), Fed.R.Civ.P., the State ex rel Wilson (State) hereby submits the discovery plan set forth below. The State's understanding is that the Federal Defendants take the position that this case is not subject to discovery as to the Administrative Procedures Act claims, that the claims specific to the State are subject to dismissal and that discovery should not be undertaken regarding the State's non-APA s claims until a ruling is made regarding whether they should be dismissed. The State strongly disagrees that its claims are

subject to dismissal; however, the State does not believe that discovery will be needed as to its claims.

(A) what changes should be made in the timing, form, or requirement for disclosures under Rule 26(a), including a statement of when initial disclosures were made or will be made;

**RESPONSE: The State's Initial Disclosures will be submitted to the parties at the same time as this discovery plan. No changes are suggested.**

(B) the subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues;

**RESPONSE: At this time, the State does not believe that discovery is needed.**

(C) any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced;

**RESPONSE: None, see above.**

(D) any issues about claims of privilege or of protection as trial-preparation materials, including – if the parties agree on a procedure to assert these claims after production – whether to ask the court to include their agreement in an order;

**RESPONSE: None**

(E) what changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and

**RESPONSE: The State is unaware of any changes to discovery needed at this time.**

(F) any other orders that the court should issue under Rule 26(c) or under Rule 16(b) and (c).

**RESPONSE: None now.**

[Signature block on next page]

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